

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 142 be amended to read as follows:

- 1 Page 1, line 2, after "(a)" insert "**As used in this section,**
- 2 **"commercial vehicle policy" means an insurance policy that**
- 3 **provides coverage for at least one (1) of the following:**
- 4 (1) **A motor vehicle that is rated or insured as a business or**
- 5 **commercial vehicle.**
- 6 (2) **A motor vehicle that is licensed by the state as a**
- 7 **commercial vehicle.**
- 8 (3) **A commercial motor vehicle business, including an:**
- 9 (A) **individual who; or**
- 10 (B) **entity that;**
- 11 **is in the business or occupation of selling, repairing, servicing,**
- 12 **storing, or parking motor vehicles, including a business that**
- 13 **is a commercial garage operation, an automobile sales entity,**
- 14 **a motor vehicle repair entity, a motor vehicle service station,**
- 15 **or a public parking operation.**
- 16 (4) **A motor vehicle that is used as a public or private livery or**
- 17 **a rental conveyance.**
- 18 (5) **A motor vehicle that is owned or used by a named insured**
- 19 **that is not a natural person.**
- 20 (b)".
- 21 Page 1, line 3, delete "subsection (c)," and insert "**subsections (e)**
- 22 **and (f),"**.
- 23 Page 2, line 31, strike "(b)" and insert "**(c)**".
- 24 Page 3, delete lines 10 through 13, begin a new paragraph and

1 insert:

2 "(d) If any named insured rejects in writing the coverage
3 described in subsection (b), the rejection of coverage applies to
4 every other:

5 (1) named insured; and

6 (2) insured.

7 **It is not necessary that each named insured or other insured reject**
8 **the coverage described in subsection (b) in writing or sign the**
9 **written rejection of coverage.**

10 **(e) This subsection applies only to a commercial vehicle policy.**
11 **An insurer is required to offer only the coverage described in**
12 **subsection (b) as part of a commercial vehicle policy that provides**
13 **coverage for a vehicle. The coverage offered by an insurer under**
14 **subsection (b) as part of a commercial vehicle policy is required to**
15 **cover only a loss that results from the operation of a motor vehicle.**

16 **(f) An insurer is not required to offer coverage described in**
17 **subsection (b) in connection with the issuance of a commercial**
18 **umbrella or excess liability policy."**

19 Page 3, line 16, delete "IC 27-7-5-1.5, before its repeal by this act."
20 and insert "**IC 27-7-5-2, as amended by this act.**".

21 Page 3, delete lines 17 through 19.

22 Page 3, line 20, delete "(c)" and insert "**(b)**".

23 Page 3, line 22, delete "(d)" and insert "**(c)**".

24 Page 3, line 27, delete "(e)" and insert "**(d)**".

(Reference is to ESB 142 as printed March 20, 2009.)

Representative Torr